

RECEIVED  
CENTRAL FAX CENTER

Reissue Application: 09/608,013

MAR 27 2006

Attorney Docket No. 103864.700 RIPATENT/OFFICIAL

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Reissue Application of :

Christopher J. LASHER, et al.

U.S. Patent 5,771,657

Reissue Application: 09/608,013

Filed: June 30, 2000

FOR: AUTOMATIC PRESCRIPTION FILLING, SORTING AND PACKAGING SYSTEM

As a below-named inventor, I hereby declare that:

My residence and Post Office Address (labeled "Address" in the signature blocks) and Citizenship are as stated below next to my name, and that:

I/We verily believe that I/We am/are the original, first and joint inventor of the invention entitled AUTOMATIC PRESCRIPTION FILLING, SORTING AND PACKAGING SYSTEM, described and claimed in the specification filed on herewith, that I have reviewed and understand the contents of the specification, including the claims, as well as the claims referred to in this declaration, that I do not know and do not believe the same was ever known or used in the United States of America before my invention thereof, or patented or described in any printed publication in any country before my invention thereof or more than one year prior to May 7, 1996, that the same was not in public use or on sale in the United States of America more than one year prior to May 7, 1996, that the invention has not been patented or made the subject of an inventors certificate issued before May 7, 1996 in any country foreign to the United States of America on an application filed by me or my legal representatives or assigns more than twelve months prior to May 7, 1996, and that I acknowledge my duty to disclose information of which I am aware which is material to the examination of this application.

My original U.S. Patent 5,771,657, which matured from serial number 08/646,016, is partly inoperative or invalid by reason of claiming less than and/or more than I had the right to claim through error. The errors include, for example, omission of broader claims to an automated prescription dispensing system and a method of dispensing pills in a

Reissue Application: 09/608,013

prescription dispensing system, including more liberal use of non-means plus function terminology. Specifically, the errors include, amendments to the originally presented reissue claims. For example, limitations such as "automatic," "separately from the at least one bottle inserted into the shipping container," "corresponding to the prescription order," and "star," have been removed in certain claims. In addition, in certain claims, the term "turntable" has generally been replaced with the phrase "assembly mechanism," the phrase "mechanical arm" has generally been replaced with the phrase "bottle removing mechanism," and the terms "prescription label," "bar code," and "tag" have generally been replaced by the term "identifier." In addition, the phrases "the literature pack and each of the bottles having at least one corresponding identifier identified by at least one identification system to ensure that each of one or more bottles associated with the corresponding prescription order are inserted into the shipping container with the corresponding literature pack," and "is inserted into the shipping container separately from the bottles," has been inserted in selected claims.

Every error in the patent which is being corrected in the present reissue application, and which is not covered by any prior oath and/or declaration submitted in this application, arose without any deceptive intent on the part of the applicant and inventors during prosecution of the original application which matured as U.S. Patent No. 5,771,657.

No factual basis is required establishing how the errors occurred under 37 C.F.R. § 1.175.

Reissue Application: 09/608,013

I/We hereby declare that all statements made herein of my/our own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

*Christopher J. Lasher*  
Christopher J. Lasher  
Address: 55 Wall Street  
Bloomberg, NY 10005  
Citizenship: USA

Date: 2/13/06

Dennis W. Rice  
Address: \_\_\_\_\_  
Citizenship: \_\_\_\_\_

Date:

Michael J. Szesko  
Address: \_\_\_\_\_  
Citizenship: \_\_\_\_\_

Date:

Frank Modrowsky  
Address: \_\_\_\_\_  
Citizenship: \_\_\_\_\_

Date:

Reissue Application: 09/608,013

I/We hereby declare that all statements made herein of my/our own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Date:

James McErlean

Address: \_\_\_\_\_

\_\_\_\_\_

Citizenship: \_\_\_\_\_

Michael Kennedy

Address: \_\_\_\_\_

\_\_\_\_\_

Date:

Citizenship: \_\_\_\_\_

Paul Thomas Shupert

Address: \_\_\_\_\_

\_\_\_\_\_

Date:

Citizenship: \_\_\_\_\_

03/27/2006 17:27 FAX 212 230 8888  
FEB-06-2006 10:31

MEDCO HEALTH

WILMER CUTLER PICKER

RECEIVED

CENTRAL FAX CENTER

201 269 1081

P.02

045/064

MAR 27 2006

Reissue Application: 09/608,013

Attorney Docket No. 103864.700 RI

PATENT/OFFICIAL

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Reissue Application of :

Christopher J. LASHER, et al.

U.S. Patent 5,771,657

Reissue Application: 09/608,013

Filed: June 30, 2000

FOR: AUTOMATIC PRESCRIPTION FILLING, SORTING AND PACKAGING SYSTEM

As a below-named inventor, I hereby declare that:

My residence and Post Office Address (labeled "Address" in the signature blocks) and Citizenship are as stated below next to my name, and that:

I/We verily believe that I/We am/are the original, first and joint inventor of the invention entitled AUTOMATIC PRESCRIPTION FILLING, SORTING AND PACKAGING SYSTEM, described and claimed in the specification filed on herewith, that I have reviewed and understand the contents of the specification, including the claims, as well as the claims referred to in this declaration, that I do not know and do not believe the same was ever known or used in the United States of America before my invention thereof, or patented or described in any printed publication in any country before my invention thereof or more than one year prior to May 7, 1996, that the same was not in public use or on sale in the United States of America more than one year prior to May 7, 1996, that the invention has not been patented or made the subject of an inventors certificate issued before May 7, 1996 in any country foreign to the United States of America on an application filed by me or my legal representatives or assigns more than twelve months prior to May 7, 1996, and that I acknowledge my duty to disclose information of which I am aware which is material to the examination of this application.

My original U.S. Patent 5,771,657, which matured from serial number 08/646,016, is partly inoperative or invalid by reason of claiming less than and/or more than I had the right to claim through error. The errors include, for example, omission of broader claims to an automated prescription dispensing system and a method of dispensing pills in a

FEB-06-2006 10:31

MEDCO HEALTH

201 269 1081 P.03

Reissue Application: 09/608,013

prescription dispensing system, including more liberal use of non-means plus function terminology. Specifically, the errors include, amendments to the originally presented reissue claims. For example, limitations such as "automatic," "separately from the at least one bottle inserted into the shipping container," "corresponding to the prescription order," and "star," have been removed in certain claims. In addition, in certain claims, the term "turntable" has generally been replaced with the phrase "assembly mechanism," the phrase "mechanical arm" has generally been replaced with the phrase "bottle removing mechanism," and the terms "prescription label," "bar code," and "tag" have generally been replaced by the term "identifier." In addition, the phrases "the literature pack and each of the bottles having at least one corresponding identifier identified by at least one identification system to ensure that each of one or more bottles associated with the corresponding prescription order are inserted into the shipping container with the corresponding literature pack," and "is inserted into the shipping container separately from the bottles," has been inserted in selected claims.

Every error in the patent which is being corrected in the present reissue application, and which is not covered by any prior oath and/or declaration submitted in this application, arose without any deceptive intent on the part of the applicant and inventors during prosecution of the original application which matured as U.S. Patent No. 5,771,657.

No factual basis is required establishing how the errors occurred under 37 C.F.R. § 1.175.

Reissue Application: 09/608,013

I/We hereby declare that all statements made herein of my/our own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Date:

Christopher J. Lasher

Address: \_\_\_\_\_

Citizenship: \_\_\_\_\_

Dennis W. Rice

Address: 5 Blain Drive  
Elmwood, NJ.

Citizenship: U.S.

Date: 2/6/06

Date:

Michael J. Szesko

Address: \_\_\_\_\_

Citizenship: \_\_\_\_\_

Frank Modrowsky

Address: \_\_\_\_\_

Citizenship: \_\_\_\_\_

Date:

03/27/2006 17:28 FAX 212 230 8888  
FEB-06-2006 10:32

WILMER CUTLER PICKERING  
MEDCO HEALTH

048/064  
201 269 1081 P.05

Reissue Application: 09/608,013

I/We hereby declare that all statements made herein of my/our own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

James McErlean  
Address: \_\_\_\_\_

Date:

Citizenship: \_\_\_\_\_

Michael Kennedy  
Address: \_\_\_\_\_

Date:

Citizenship: \_\_\_\_\_

Paul Thomas Shupert  
Address: \_\_\_\_\_

Date:

Citizenship: \_\_\_\_\_

FEB-03-2006 10:47

MEDCO HEALTH

201 269 1081 P.02

**RECEIVED  
CENTRAL FAX CENTER**

Reissue Application: 09/608,013

MAR 27 2006

Attorney Docket No. 103864.700 R1PATENT/OFFICIAL

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Reissue Application of :

Christopher J. LASHER, et al.

U.S. Patent 5,771,657

Reissue Application: 09/608,013

Filed: June 30, 2000 :

FOR: AUTOMATIC PRESCRIPTION FILLING, SORTING AND PACKAGING SYSTEM

As a below-named inventor, I hereby declare that:

My residence and Post Office Address (labeled "Address" in the signature blocks) and Citizenship are as stated below next to my name, and that:

I/We verily believe that I/We am/are the original, first and joint inventor of the invention entitled AUTOMATIC PRESCRIPTION FILLING, SORTING AND PACKAGING SYSTEM, described and claimed in the specification filed on herewith, that I have reviewed and understand the contents of the specification, including the claims, as well as the claims referred to in this declaration, that I do not know and do not believe the same was ever known or used in the United States of America before my invention thereof, or patented or described in any printed publication in any country before my invention thereof or more than one year prior to May 7, 1996, that the same was not in public use or on sale in the United States of America more than one year prior to May 7, 1996, that the invention has not been patented or made the subject of an inventors certificate issued before May 7, 1996 in any country foreign to the United States of America on an application filed by me or my legal representatives or assigns more than twelve months prior to May 7, 1996, and that I acknowledge my duty to disclose information of which I am aware which is material to the examination of this application.

My original U.S. Patent 5,771,657, which matured from serial number 08/646,016, is partly inoperative or invalid by reason of claiming less than and/or more than I had the right to claim through error. The errors include, for example, omission of broader claims to an automated prescription dispensing system and a method of dispensing pills in a

FEB-03-2006 10:48

MEDCO HEALTH

201 269 1081 P.03

Reissue Application: 09/608,013

prescription dispensing system, including more liberal use of non-means plus function terminology. Specifically, the errors include, amendments to the originally presented reissue claims. For example, limitations such as "automatic," "separately from the at least one bottle inserted into the shipping container," "corresponding to the prescription order," and "star," have been removed in certain claims. In addition, in certain claims, the term "turntable" has generally been replaced with the phrase "assembly mechanism," the phrase "mechanical arm" has generally been replaced with the phrase "bottle removing mechanism," and the terms "prescription label," "bar code," and "tag" have generally been replaced by the term "identifier." In addition, the phrases "the literature pack and each of the bottles having at least one corresponding identifier identified by at least one identification system to ensure that each of one or more bottles associated with the corresponding prescription order are inserted into the shipping container with the corresponding literature pack," and "is inserted into the shipping container separately from the bottles," has been inserted in selected claims.

Every error in the patent which is being corrected in the present reissue application, and which is not covered by any prior oath and/or declaration submitted in this application, arose without any deceptive intent on the part of the applicant and inventors during prosecution of the original application which matured as U.S. Patent No. 5,771,657.

No factual basis is required establishing how the errors occurred under 37 C.F.R. § 1.175.

FEB-03-2006 10:48

MEDCO HEALTH

201 269 1081 P.04

Reissue Application: 09/608,013

I/We hereby declare that all statements made herein of my/our own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Date:

Christopher J. Lasher  
Address: \_\_\_\_\_  
\_\_\_\_\_

Citizenship: \_\_\_\_\_

Date:

Dennis W. Rice  
Address: \_\_\_\_\_  
\_\_\_\_\_

Citizenship: \_\_\_\_\_

*Michael J. Szesko*  
Michael J. Szesko  
Address: 1125 Georgia Road  
Edenhold NJ 07728

Citizenship: USA

Date: Feb. 3, 2006

Date:

Frank Modrowsky  
Address: \_\_\_\_\_  
\_\_\_\_\_

Citizenship: \_\_\_\_\_

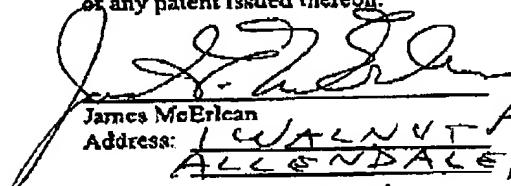
FEB-03-2006 10:48

MEDCO HEALTH

201 269 1081 P.05

Reissue Application: 09/608,013

I/We hereby declare that all statements made herein of my/our own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.



Date: 2/3/06  
James McErlean  
Address: 1 WALNUT PLACE  
ACORNDALE, NJ, 07401  
Citizenship: USA

\_\_\_\_\_  
Michael Kennedy  
Address: \_\_\_\_\_  
\_\_\_\_\_  
Citizenship: \_\_\_\_\_

Date:

\_\_\_\_\_  
Paul Thomas Shupert  
Address: \_\_\_\_\_  
\_\_\_\_\_  
Citizenship: \_\_\_\_\_

Date:

Feb 02 06 04:51p

Creative Sign Solutions

908-782-9270

p.2

Reissue Application: 09/608,013

RECEIVED  
CENTRAL FAX CENTERAttorney Docket No. 103864.700 RI

MAR 27 2006

PATENT/OFFICIAL

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Reissue Application of :

Christopher J. LASHER, et al.

U.S. Patent 5,771,657

Reissue Application: 09/608,013

Filed: June 30, 2000 :

FOR: AUTOMATIC PRESCRIPTION FILLING, SORTING AND PACKAGING SYSTEM

As a below-named inventor, I hereby declare that:

My residence and Post Office Address (labeled "Address" in the signature blocks) and Citizenship are as stated below next to my name, and that:

I/We verily believe that I/We am/are the original, first and joint inventor of the invention entitled AUTOMATIC PRESCRIPTION FILLING, SORTING AND PACKAGING SYSTEM, described and claimed in the specification filed on herewith, that I have reviewed and understand the contents of the specification, including the claims, as well as the claims referred to in this declaration, that I do not know and do not believe the same was ever known or used in the United States of America before my invention thereof, or patented or described in any printed publication in any country before my invention thereof or more than one year prior to May 7, 1996, that the same was not in public use or on sale in the United States of America more than one year prior to May 7, 1996, that the invention has not been patented or made the subject of an inventors certificate issued before May 7, 1996 in any country foreign to the United States of America on an application filed by me or my legal representatives or assigns more than twelve months prior to May 7, 1996, and that I acknowledge my duty to disclose information of which I am aware which is material to the examination of this application.

My original U.S. Patent 5,771,657, which matured from serial number 08/646,016, is partly inoperative or invalid by reason of claiming less than and/or more than I had the right to claim through error. The errors include, for example, omission of broader claims to an automated prescription dispensing system and a method of dispensing pills in a

  
2/2/06

Feb 02 06 04:51p

Creative Sign Solutions

908-782-9270

P. 3

Reissue Application: 09/608,013

prescription dispensing system, including more liberal use of non-means plus function terminology. Specifically, the errors include, amendments to the originally presented reissue claims. For example, limitations such as "automatic," "separately from the at least one bottle inserted into the shipping container," "corresponding to the prescription order," and "star," have been removed in certain claims. In addition, in certain claims, the term "turntable" has generally been replaced with the phrase "assembly mechanism," the phrase "mechanical arm" has generally been replaced with the phrase "bottle removing mechanism," and the terms "prescription label," "bar code," and "tag" have generally been replaced by the term "identifier." In addition, the phrases "the literature pack and each of the bottles having at least one corresponding identifier identified by at least one identification system to ensure that each of one or more bottles associated with the corresponding prescription order are inserted into the shipping container with the corresponding literature pack," and "is inserted into the shipping container separately from the bottles," has been inserted in selected claims.

Every error in the patent which is being corrected in the present reissue application, and which is not covered by any prior oath and/or declaration submitted in this application, arose without any deceptive intent on the part of the applicant and inventors during prosecution of the original application which matured as U.S. Patent No. 5,771,657.

No factual basis is required establishing how the errors occurred under 37 C.F.R. § 1.175.



Feb 02 06 04:51p Creative Sign Solutions 908-782-9270

P. 4

Reissue Application: 09/608,013

I/We hereby declare that all statements made herein of my/our own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application  
~~or any patent issued thereon.~~

Date:

Christopher J. Lasher

Address: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

Citizenship: \_\_\_\_\_

Date:

Dennis W. Rice

Address: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

Citizenship: \_\_\_\_\_

Date:

Michael J. Goss

Address: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

Citizenship: \_\_\_\_\_

Date: 2/27/06

Frank Modrowsky

Address: \_\_\_\_\_

13 FIELDPOINTE DRIVE  
BRANCHBURG, NJ 08876

Citizenship: \_\_\_\_\_

U.S.A.

Feb 02 06 04:51p

Creative Sign Solutions

908-782-9270

p.5

Reissue Application: 09/608,013

I/We hereby declare that all statements made herein of my/our own knowledge are true  
and that all statements made herein of my/our own knowledge are true and that all statements made herein of my/our own knowledge are true  
these statements were made with the knowledge that willful false statements and the like so made  
are punishable by fine or imprisonment; or both; under Section 1001 of Title 18 of the United  
States Code and that such willful false statements may jeopardize the validity of the application  
or any patent issued thereon.

Date:

James McErlan

Address:

Citizenship:

Date:

Michael Kennedy

Address:

Citizenship:

Date:

Paul Thomas Shupert

Address:

US1DOCS 4951118v1

4

JAB  
2/2/06

RECEIVED  
CENTRAL FAX CENTER

Reissue Application: 09/608,013

MAR 27 2006

Attorney Docket No. 103864.700 RJPATENT/OFFICIAL

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Reissue Application of :

Christopher J. LASHER, et al.

U.S. Patent 5,771,657

Reissue Application: 09/608,013

Filed: June 30, 2000 :

FOR: AUTOMATIC PRESCRIPTION FILLING, SORTING AND PACKAGING SYSTEM

As a below-named inventor, I hereby declare that:

My residence and Post Office Address (labeled "Address" in the signature blocks) and Citizenship are as stated below next to my name, and that:

I/We verily believe that I/We am/are the original, first and joint inventor of the invention entitled AUTOMATIC PRESCRIPTION FILLING, SORTING AND PACKAGING SYSTEM, described and claimed in the specification filed on herewith, that I have reviewed and understand the contents of the specification, including the claims, as well as the claims referred to in this declaration, that I do not know and do not believe the same was ever known or used in the United States of America before my invention thereof, or patented or described in any printed publication in any country before my invention thereof or more than one year prior to May 7, 1996, that the same was not in public use or on sale in the United States of America more than one year prior to May 7, 1996, that the invention has not been patented or made the subject of an inventors certificate issued before May 7, 1996 in any country foreign to the United States of America on an application filed by me or my legal representatives or assigns more than twelve months prior to May 7, 1996, and that I acknowledge my duty to disclose information of which I am aware which is material to the examination of this application.

My original U.S. Patent 5,771,657, which matured from serial number 08/646,016, is partly inoperative or invalid by reason of claiming less than and/or more than I had the right to claim through error. The errors include, for example, omission of broader claims to an automated prescription dispensing system and a method of dispensing pills in a

Reissue Application: 09/608,013

prescription dispensing system, including more liberal use of non-means plus function terminology. Specifically, the errors include, amendments to the originally presented reissue claims. For example, limitations such as "automatic," "separately from the at least one bottle inserted into the shipping container," "corresponding to the prescription order," and "star," have been removed in certain claims. In addition, in certain claims, the term "turntable" has generally been replaced with the phrase "assembly mechanism," the phrase "mechanical arm" has generally been replaced with the phrase "bottle removing mechanism," and the terms "prescription label," "bar code," and "tag" have generally been replaced by the term "identifier." In addition, the phrases "the literature pack and each of the bottles having at least one corresponding identifier identified by at least one identification system to ensure that each of one or more bottles associated with the corresponding prescription order are inserted into the shipping container with the corresponding literature pack," and "is inserted into the shipping container separately from the bottles," has been inserted in selected claims.

Every error in the patent which is being corrected in the present reissue application, and which is not covered by any prior oath and/or declaration submitted in this application, arose without any deceptive intent on the part of the applicant and inventors during prosecution of the original application which matured as U.S. Patent No. 5,771,657.

No factual basis is required establishing how the errors occurred under 37 C.F.R. § 1.175.

Reissue Application: 09/608,013

I/We hereby declare that all statements made herein of my/our own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Date:

Christopher J. Lasher

Address: \_\_\_\_\_

\_\_\_\_\_

Citizenship: \_\_\_\_\_

Date:

Dennis W. Rice

Address: \_\_\_\_\_

\_\_\_\_\_

Citizenship: \_\_\_\_\_

Date:

Michael J. Szesko

Address: \_\_\_\_\_

\_\_\_\_\_

Citizenship: \_\_\_\_\_

Date:

Frank Modrowsky

Address: \_\_\_\_\_

\_\_\_\_\_

Citizenship: \_\_\_\_\_

Reissue Application: 09/608,013

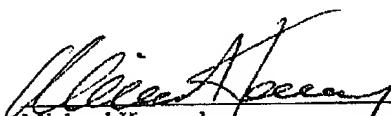
I/We hereby declare that all statements made herein of my/our own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Date:

James McErlean

Address: \_\_\_\_\_

Citizenship: \_\_\_\_\_

  
Michael Kennedy  
Address: 37 Meadmoor Lane  
Dover, NH 03820

Date: 3/27/06

Citizenship: U.S.

Date:

Paul Thomas Shupert

Address: \_\_\_\_\_

Citizenship: \_\_\_\_\_

RECEIVED  
CENTRAL FAX CENTER

Reissue Application: 09/608,013

MAR 27 2006

Attorney Docket No. 103864.700 RIPATENT/OFFICIAL

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Reissue Application of :  
Christopher J. LASHER, et al.

U.S. Patent 5,771,657

Reissue Application: 09/608,013

Filed: June 30, 2000 :

FOR: AUTOMATIC PRESCRIPTION FILLING, SORTING AND PACKAGING SYSTEM

As a below-named inventor, I hereby declare that:

My residence and Post Office Address (labeled "Address" in the signature blocks) and Citizenship are as stated below next to my name, and that:

I/We verily believe that I/We am/are the original, first and joint inventor of the invention entitled AUTOMATIC PRESCRIPTION FILLING, SORTING AND PACKAGING SYSTEM, described and claimed in the specification filed on herewith, that I have reviewed and understand the contents of the specification, including the claims, as well as the claims referred to in this declaration, that I do not know and do not believe the same was ever known or used in the United States of America before my invention thereof, or patented or described in any printed publication in any country before my invention thereof or more than one year prior to May 7, 1996, that the same was not in public use or on sale in the United States of America more than one year prior to May 7, 1996, that the invention has not been patented or made the subject of an inventors certificate issued before May 7, 1996 in any country foreign to the United States of America on an application filed by me or my legal representatives or assigns more than twelve months prior to May 7, 1996, and that I acknowledge my duty to disclose information of which I am aware which is material to the examination of this application.

My original U.S. Patent 5,771,657, which matured from serial number 08/646,016, is partly inoperative or invalid by reason of claiming less than and/or more than I had the right to claim through error. The errors include, for example, omission of broader claims to an automated prescription dispensing system and a method of dispensing pills in a

Reissue Application: 09/608,013

prescription dispensing system, including more liberal use of non-means plus function terminology. Specifically, the errors include, amendments to the originally presented reissue claims. For example, limitations such as "automatic," "separately from the at least one bottle inserted into the shipping container," "corresponding to the prescription order," and "star," have been removed in certain claims. In addition, in certain claims, the term "turntable" has generally been replaced with the phrase "assembly mechanism," the phrase "mechanical arm" has generally been replaced with the phrase "bottle removing mechanism," and the terms "prescription label," "bar code," and "tag" have generally been replaced by the term "identifier." In addition, the phrases "the literature pack and each of the bottles having at least one corresponding identifier identified by at least one identification system to ensure that each of one or more bottles associated with the corresponding prescription order are inserted into the shipping container with the corresponding literature pack," and "is inserted into the shipping container separately from the bottles," has been inserted in selected claims.

Every error in the patent which is being corrected in the present reissue application, and which is not covered by any prior oath and/or declaration submitted in this application, arose without any deceptive intent on the part of the applicant and inventors during prosecution of the original application which matured as U.S. Patent No. 5,771,657.

No factual basis is required establishing how the errors occurred under 37 C.F.R. § 1.175.

Reissue Application: 09/608,013

I/We hereby declare that all statements made herein of my/our own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Date:

Christopher J. Lasher

Address: \_\_\_\_\_

\_\_\_\_\_

Citizenship: \_\_\_\_\_

Date:

Dennis W. Rice

Address: \_\_\_\_\_

\_\_\_\_\_

Citizenship: \_\_\_\_\_

Date:

Michael J. Szesko

Address: \_\_\_\_\_

\_\_\_\_\_

Citizenship: \_\_\_\_\_

Date:

Frank Modrowsky

Address: \_\_\_\_\_

\_\_\_\_\_

Citizenship: \_\_\_\_\_

Reissue Application: 09/608,013

I/We hereby declare that all statements made herein of my/our own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Date:

James McErlean

Address:

\_\_\_\_\_

Citizenship:

Michael Kennedy

Address:

\_\_\_\_\_

Date:

Citizenship:

Paul Thomas Shupert  
Paul Thomas Shupert

Address: 18813 Fox Chase Ct  
Parkton, MD 21120

Date: March 3, 2006

Citizenship: U.S.